

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRENDA BARRETO,

Plaintiff,

MEMORANDUM & ORDER
20-CV-1449 (EK) (RLM)

-against-

ANTHONY J. CERCIELLO,

Defendant.

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ERIC KOMITEE, United States District Judge:

The Court has received Judge Roanne L. Mann's Report and Recommendation (R&R) dated July 24, 2020. ECF No. 7. Judge Mann recommends dismissing the action for failure to timely serve the complaint. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews the R&R for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord *Gesualdi v. Mack Excavation & Trailer Serv., Inc.*, No. 09-CV-2502, 2010 WL 985294, at *1 (E.D.N.Y. Mar. 15, 2010). Having reviewed the record, the Court finds no clear error. Accordingly, the Court adopts the R&R in its entirety pursuant to 28 U.S.C. § 636(b)(1). Therefore, the complaint is dismissed without

prejudice for failure to effect timely service under Rule 4(m) of the Federal Rules of Civil Procedure. The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

/s Eric Komitee

ERIC KOMITEE

United States District Judge

Dated: October 13, 2020
 Brooklyn, New York